

REMARKS

Claim 1 is amended. Claims 1-5 are pending.

Claim 1 is amended for clarity and based on the application as originally filed, so it is respectfully submitted that no new matter has been added.

In the office action, claims 1-5 were finally rejected under 35 U.S.C. § 103(a) in view of U.S. Patent Number 6,500,581 to White in view of the applicant's admitted prior art (AAPA).

The applicant respectfully traverses the final rejection. It is respectfully submitted that claims 1-5 are patentable and in condition for allowance, since the present invention is novel and non-obvious in view of the cited art.

In resolving the problems present in the prior art, as described in the background of the present application, the aim of the present invention is to have an intuitive tangible biconvex leaf-spring with a behavioral characteristic of providing a snap-in feeling between the two fingers of the user when pressing the finger pressure surfaces.

To solve the problem of the lack of such a snap-in feeling feature in the prior art, at least one biconvex leaf-spring is arranged in the present invention to be between the two finger-wide spaced finger pressure surfaces of a battery pack module.

White does indeed disclose a battery pack module consisting of two finger-wide, spaced, and biased finger pressure surfaces, with such biasing provided by a normal leaf-spring in the prior art at the time of the creation of the battery pack module of White.

However, it is respectfully submitted that the normal leaf-spring of White is distinct and different in shape and operation compared to the biconvex leaf-spring of the present invention, and so the present invention is novel and non-obvious in view of White.

While biconvex leaf springs are known in the art, such as the biconvex leaf springs mentioned in the AAPA such as DE19903263 of Berthold et al., the present invention is novel and non-obvious in view of any alleged combination of White and the AAPA, such as White and Berthold, since any alleged combination of White and Berthold does not meet the established Teaching-Suggestion-Motivation (TSM) test under U.S. patent law.

Using the TSM test, one having ordinary skill in the art would understand that the use of a biconvex leaf-spring between two finger-wide spaced and biased finger pressure surfaces are neither taught nor suggested by Berthold, in which such biasing is by normal leaf springs as in White.

Further, in addition to the lack of any clear suggestions of the use of biconvex leaf springs in White in the manner of the present invention, there are also no suggestions disclosed in Berthold of the arrangement of the biconvex leaf-spring in the manner of the present invention, since Berthold provides a space-controlled biconvex leaf-spring in which the space-control is provided by a swivelable guided lever. Thus, the user of the Berthold device does not feel the operation and behavior of the biconvex leaf-spring with a snap-in feeling, when the leaf-spring in Berthold swivels the lever.

Therefore, as in the White device, the device in Berthold also fails to afford the snap-in feeling to provide the aim of the present invention.

Moreover, in the prior art, there has heretofore been no motivation or reason to provide a battery pack module with a snap-in feeling feature during installation and operation, because the prior art disclosed in White also works well without the snap-in feeling feature, but the White device does not work to provide such an intuitive operation such as the snap-in feeling as in the present invention.

Furthermore, in view of recent considerations in U.S. patent case law regarding obviousness, it is respectfully submitted that the general knowledge of skilled persons or the common sense of individuals would not find the above-recited components and features of the present invention, such as those providing the snap-in feeling during use of the inventive battery pack module, to be provided in an obvious manner in view of the cited art, such as White and the AAPA such as Berthold.

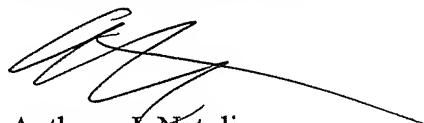
In view of the inability of the cited art, such as alleged combinations of White and Berthold, to meet the criteria of the TSM test or the newer criteria of the general knowledge of skilled persons or the common sense of individuals, it is respectfully submitted that the present invention is non-obvious.

Accordingly, claims 1-5 are patentable over White and the remaining cited art, so reconsideration and withdrawal of the final rejection are respectfully requested.

Entry and approval of the present amendment and allowance of all pending claims are respectfully requested.

In case of any deficiencies in fees by the filing of the present amendment, the Commissioner is hereby authorized to charge such deficiencies in fees to Deposit Account Number 01-0035.

Respectfully submitted,



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